

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MELISSA JOHNSON, Personal Representative :
of the Estate of the late Timothy Johnson :
Plaintiff, :

v. :

Civil Action No. 1:25cv80

WESLEY SHIFFLETT, et al., :
Defendants. :

MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)

Defendants William Arnest, Scott Colwell, and Wilson Lee, by counsel, move this Court to dismiss the Complaint filed herein against them for failure to state a claim upon which relief may be granted pursuant to Fed. R. Civ. P. 12 (b)(6), which are detailed, with the reasons also set forth, in the accompanying memorandum of points and authorities.

Respectfully submitted,

**WILLIAM ARNEST
SCOTT COLWELL
WILSON LEE**

**ELIZABETH D. TEARE
COUNTY ATTORNEY**

By: /s/
Kimberly P. Baucom, Esquire
Deputy County Attorney
Virginia State Bar No. 44419
Jamie M. Greenzweig, Esquire
Senior Assistant County Attorney
Virginia State Bar No. 75066
12000 Government Center Parkway
Suite 549
Fairfax, VA 22035-0064
(703) 324-2421
(703) 324-2665 fax
kimberly.baucom@fairfaxcounty.gov
jamie.greenzweig@fairfaxcounty.gov
Counsel for William Arnest, Scott Colwell, and Wilson Lee

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of July, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a true copy of the foregoing to the following:

Victor M. Glasberg, Esquire
Abigail S. Grand, Esquire
121 S. Columbus Street
Alexandria, Virginia 22314
vmg@robinhoodesq.com
agrand@robinhoodesq.com
Counsel for Plaintiff

Carl L. Crews, Esquire
2776 S. Arlington Mill Drive, #186
Arlington, Virginia 22206
legal@attorneycarlcrews.com
Counsel for Plaintiff

David P. Corrigan, Esquire
Andrew D. Mullen, Esquire
Blair Hawkins O'Brien, Esquire
Harman Claytor Corrigan & Wellman
Post Office Box 70280
Richmond, VA 23255
(804) 747-5200
dcorrigan@hccw.com
amullen@hccw.com
bobrien@hccw.com
Counsel for Defendant Wesley Shifflett

/s/
Kimberly P. Baucom